



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



REPLY TO THE ATTENTION OF:

July 15, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

La Salle State Bank, Trustee
Duncan Realty Trust
c/o John S. Duncan, Esq.
Herbolsheimer, Lannon, Henson, Duncan and Regan, PC
State Bank Building
654 First Street, Suite 400
La Salle, Illinois 61301

RE: Old La Salle Dump Site, La Salle County, Illinois

Dear Mr. Duncan:

This letter corrects and replaces my letter dated July 3, 2003, regarding "Follow up to Request for Information Pursuant to Section 104 of CERCLA for Old La Salle Dump Site in La Salle County, Illinois." Please disregard the July 3, 2003 letter.

On March 18, 2003, U.S. EPA issued a "Request for More Complete Response to Information Request Issued July 15, 2002" to La Salle State Bank as Trustee of the Duncan Realty Trust. A copy of that request is enclosed. The Request for More Complete Response required La Salle State Bank to immediately submit information that had been required by an earlier information request, but that La Salle State Bank had not submitted. Our records indicate that La Salle State Bank received the Request for More Complete Response on March 25, 2003. U.S. EPA has not yet received any response to it.

In addition, also on March 18, 2003, U.S. EPA issued a separate "Second Request for Information" to La Salle State Bank as Trustee of the Duncan Realty Trust. A copy of that request is enclosed with this letter. The Second Request for Information required La Salle State Bank as Trustee of the Duncan Realty Trust to provide certain documents and information within 30 days

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of receipt. Our records indicate that La Salle State Bank received the Second Request for Information on March 24, 2003. La Salle State Bank's request was therefore due April 23, 2003. U.S. EPA has not yet received any response to this Second Request for Information.

Please provide a complete response to both the Request for More Complete Response and to the Second Request for Information immediately.

If you have not responded to these requests because you are concerned that your responses may contain information that you consider "confidential", please be advised that you cannot withhold information on that basis, but you may ask U.S. EPA to treat the information as confidential. To request that the Agency treat your information as confidential, you must follow the procedures outlined in the enclosed documents.

Compliance with the Request for More Complete Response and with the Second Request for Information is mandatory. Continued failure to fully respond to either request, or failure to adequately justify such a failure to respond, may subject La Salle State Bank to an enforcement action seeking to compel compliance and collect penalties of up to \$27,500 per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5). Other statutes provide that the submission of false, fictitious or fraudulent statements or misrepresentations can result in sanctions.

The U.S. EPA has the authority to use the information that it requests in an administrative, civil or criminal action.

Please return your responses to both the Request for More Complete Response and to the Second Request for Information immediately to:

Deena Sheppard-Johnson, Enforcement Specialist
U.S. Environmental Protection Agency
Remedial Enforcement Support Section
77 West Jackson Boulevard SR-6J
Chicago, Illinois 60604-3590

La Salle State Bank, Trustee
Duncan Realty Trust
c/o John S. Duncan, Esq.

If you have any legal questions concerning this letter, you may contact Terry Branigan, Associate Regional Counsel, at (312) 353-4737. Please address all other questions to Deena Sheppard-Johnson, Enforcement Specialist, at (312) 886-7048.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas C. Marks", with a long, sweeping horizontal line extending to the right.

Thomas C. Marks, Chief
Remedial Enforcement Support Section

Enclosures

Request for More Complete Response to Information Request
Issued July 15, 2002

Second Request for Information, March 18, 2003

bcc: Giang-van Nguyen, SR-6J
 Deena Sheppard-Johnson, SR-6J
 Terry Branigan, C-14J